



3-10-04

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3869/042

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Peter Graig Farrell et al.  
SERIAL NO. : 09/996,769  
FILING DATE : November 30, 2001  
GROUP ART UNIT : 3761  
EXAMINER : WEISS JR, JOSEPH FRANCIS  
TITLE : NASAL VENTILATION AS A TREATMENT FOR STROKE

TRANSMITTAL OF AMENDMENT AND RESPONSE AFTER FINAL

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

The Applicant hereby transmits the following in response to the Final Office Action mailed December 10, 2003:

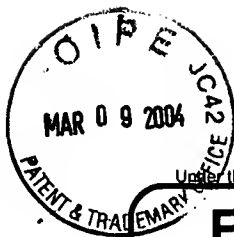
- (1) Amendment and Response to Office Action after Final; and
- (2) Terminal Disclaimer;
- (3) Fee transmittal in duplicate with a check in the amount of \$110.00 for the cost of a terminal disclaimer; and
- (4) itemized return postcard.

I hereby certify that the foregoing documents are being deposited with the United States Postal Service, Express Mail, Post Office to Addressee in an envelope addressed to the Mail Stop AF Assistant Commissioner for Patents, Washington, DC 20231 on the date below.  
(Express Mail label: EV 380569057 US )

GOTTLIEB, RACKMAN & REISMAN, P.C.  
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Dated: March 9, 2004

  
Raymond B. Churchill, Jr. Reg. No. 44,617



PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**110.00**

## Complete if Known

Application Number 09/996,769  
Filing Date November 30, 2001  
First Named Inventor Farrell et al.  
Examiner Name Weiss Jr., Joseph F.  
Group Art Unit 3761  
Attorney Docket No. 3869/042

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TECHNOLOGY CENTER R3/

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 07-1730  
Deposit Account Name

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	0.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)**0.00**

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
0	-20** = 0	18.00	0.00
0	-3** = 0	84.00	0.00
Multiple Dependent Claims			

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) Terminal Disclaimer					\$110.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**110.00**

## SUBMITTED BY

Name (Print/Type) Raymond B. Churchill, Jr.

Registration No. 44,617  
(Attorney/Agent)

## Complete (if applicable)

Telephone 212-684-3900

Signature

Date

March 9, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.